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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

E.R.K., by his legal guardian
R.K., R.T.D., through his
parents R.D. and M.D.; HAWAII
DISABILITY RIGHTS CENTER,
in a representative capacity on
behalf of its clients and all
others similarly situated,

Plaintiffs,

Case No. 10-00436 SOM-KSC

**PLAINTIFFS' INTERIM
MOTION FOR ATTORNEYS'
FEES; MEMORANDUM IN
SUPPORT OF MOTION;
DECLARATION OF PAUL
ALSTON; EXHIBITS 1 – 6;
DECLARATION OF JENNIFER**

vs.

DEPARTMENT OF EDUCATION,
State of Hawai'i,

Defendant.

PATRICIO; DECLARATION OF
LOUIS ERTESCHIK;
DECLARATION OF
MATTHEW C. BASSETT;
EXHIBITS 7 – 8; CERTIFICATE
OF SERVICE

**PLAINTIFFS' INTERIM MOTION FOR
ATTORNEYS' FEES**

Plaintiffs E.R.K., by his legal guardian R.K., R.T.D.,
through his parents R.D. and M.D., each individually and on behalf
of all those persons similarly situated, and HAWAI'I DISABILITY
RIGHTS CENTER, in a representative capacity on behalf of its
clients and all others similarly situated (collectively, "Plaintiffs"), by
and through their attorneys, Alston Hunt Floyd & Ing ("AHFI") and
Hawai'i Disability Rights Center ("HDRC"), respectfully move this
Court for an order against Defendant Department of Education,
State of Hawai'i ("Defendant" or "DOE") awarding Plaintiffs
\$234,849.20 (\$221,215.10 to AHFI and \$13,734.10 to HDRC).

These fees were reasonably and necessarily incurred in prevailing in
this action through entry of this Court's order granting
compensatory education to the Class (August 22, 2014). This
motion does not relate to work performed after that date and

Plaintiffs reserve their right to seek fees for that work at a later date.

This Motion is brought pursuant to Rules 7, 23, and 54 of the Federal Rules of Civil Procedure, L.R. 7.2 and L.R. 54.3 of the Local Rules of the United States District Court for the District of Hawaii, and 20 U.S.C. § 1415(i)(3)(B). This Motion is based upon the attached memorandum in support, the declarations and exhibits attached hereto, the files and records herein, and such further and additional matters as may be presented prior to and at the hearing on this Motion, all of which are incorporated herein by this reference.

DATED: Honolulu, Hawai'i, November 20, 2015.

/s/ Kristin L. Holland
PAUL ALSTON
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MICHELLE N. COMEAU
Attorneys for Plaintiffs